

REMARKS

The application has been amended and is believed to be in condition for allowance.

The specification has been amended to add section headings.

The claims have been amended to remedy the stated bases of the indefiniteness rejection.

The subject matter of claims 13-14 have been incorporated into claim 12. New claims 23-24 are based on claim 12. The other new claims are based on disclosure from the specification describing Figures 1-2.

Claims 12, 13 and 17-22 were rejected as obvious over JUNEAU 6,228,020 in view of LEVIN 6,144,750.

Claims 14-16 were rejected in further view of HAERTL 4,716,985.

The presently pending claims are believed to be non-obvious over the prior art. Reconsideration and allowance of these claims are therefore solicited.

The hearing aid as claimed now in amended claim 12 and new claims 23-24 comprises two distinct parts (see [0011]), [0017], [0024], [0025]): (1) a rigid standard part accommodating all electronics and battery, and (2) a dedicated part only containing a sound guide (transmission means) to the ear drum. The standard part is the same for the left ear and the right ear and for that purpose the outer end face of the standard part has

a sound entrance aperture for the microphone that is located in the center of the outer end face which makes possible to rotate the standard part 180 degrees without cosmetic and acoustic difference (see [0009]). See claim 30. The angle between the central axes of the standard part and the dedicated part ensures good fitting in both ears (see [0013] to [0016]).

JUNEAU teaches a hearing aid comprising of a "plate member" 22 to which the electronic components are attached (Figures 7-14). This plate member, however, is not a standard rigid part "accommodating" (i.e. the electronic parts are encapsulated by the standard part) the electronic parts as claimed in claim 12: JUNEAU's plate member only forms a base plate for fixing the electronic parts and does not enclose or house these parts.

JUNEAU further teaches that the electronic parts must be encapsulated in a dedicated soft polymeric body 50 bonded to the plate member. This differs from the claimed standard part which accommodates the electronic parts and the claimed dedicated part which only includes a sound transmission means.

JUNEAU also does not teach a centrally located sound aperture in the plate member. On the contrary, microphone 25 is clearly located out of center.

LEVIN and HAERTL are not concerned with two-part hearing aids and therefore the teachings regarding the angle between the axes of the two parts (HAERTL) and the teachings

regarding the means for removing (HAERTL) do not apply to a two-part hearing aid. These references are non-analogous to JUNEAU.

It is therefore submitted that the features of the pending claims are non-obvious in view of JUNEAU, LEVIN and HAERTL.

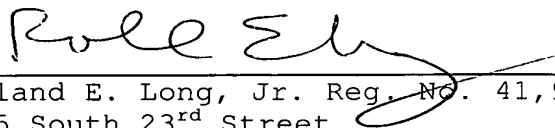
Reconsideration and allowance of these claims are therefore solicited.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

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